FILED
JUL - 8 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY EF DEPUTY

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Case No. 08 MJ 861
v.	COMPLAINT FOR VIOLATION OF
Jose ANDRADE-Ocaranza	21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)
Defendant.	

The undersigned complainant being duly sworn states:

That on or about July 7, 2008, within the Southern District of California, defendant Jose ANDRADE-Ocaranza did knowingly and intentionally import approximately 6.4 kilograms (14.08 pounds) of methamphetamine a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Felix J. Castaneda
Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 8TH, DAY OF JULY 2008.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

UNITED STATES OF AMERICA

v.

Jose Alberto ANDRADE-Ocaranza

STATEMENT OF FACTS

This Statement of Facts is based on the reports, documents, and notes furnished to U. S. Immigration and Customs Enforcement Special Agent Felix J. Castaneda.

On July 7, 2008, at approximately 1437 hours, Jose Alberto ANDRADE-Ocaranza (ANDRADE) entered the United States at the Calexico, California, West Port of Entry. ANDRADE was registered owner and sole occupant driver of 1990 Dodge Ram Charger.

ANDRADE gave Primary Officer Hunt, a negative oral Customs declaration. Officer Hunt referred the vehicle to secondary for further inspection.

In the vehicle secondary lot, ANDRADE gave Officer Oton a negative oral Customs declaration and stated he had owned the vehicle for two years. Canine Officer Navarro was asked by Officer Oton to utilize his Human/Narcotic Detector Dog (HNDD) to screen the vehicle. The HNDD alerted to the undercarriage of the vehicle.

A subsequent inspection of the vehicle revealed sixteen (16) packages in the front differential and transfer case of the vehicle. Officer Navarro probed one of the packages extracting a white crystal like substance. Officer Oton conducted a field test of the white crystal substance, which field tested positive for the presence of methamphetamine. The 16 packages had a combined net weight of approximately 6.4 kilograms (14.08 pounds).

ANDRADE was placed under arrest and advised of his Constitutional Rights by Agent Castaneda, which he acknowledged, and waived, agreeing to speak to Agent Castaneda without the presence of an attorney. ANDRADE stated he saw that there were narcotics in the vehicle, but not what type, and that he was to be paid $1,000.00 for smuggling them into the United States.